

Express Mailing Label No.: EV 139506095 US
Date of Deposit: October 16, 2002



181508
10/22/02
Attorney Docket N : 15966-601 (CURA-101)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

OCT 21 2002

TECH CENTER 1600/2900

APPLICANT: Rothberg *et al.*
SERIAL NUMBER: 09/717,321
FILING DATE: November 20, 2000
EXAMINER: Bronwen Loeb
ART UNIT: 1636
FOR: METHOD OF IDENTIFYING TOXIC AGENTS USING NSAID-INDUCED DIFFERENTIAL GENE EXPRESSION IN LIVER

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office Action, mailed September 23, 2002, in the above-identified application, Applicants elect the invention of Group IXX, claims 48-51 and 54-56, drawn to an isolated nucleic acid, classified in class 530, subclass 350. Applicants concurrently file herewith a Preliminary Amendment canceling claims 1-47, 52, and 53, without prejudice, as drawn to non-elected inventions that may be pursued in later applications.

This response is due on or before October 23, 2002. Applicants believe that no fee is due with the submission of this paper. However, the Commissioner is hereby authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311, Ref. No. 15966-601 (Cura-101).

Respectfully submitted,

Dated: October 16, 2002

for:

Chad E. Bell Reg. No. 48,128
Ivor R. Elrifi, Reg. No. 39,529
Attorney for Applicants
c/o MINTZ LEVIN
One Financial Center
Boston, Massachusetts 02111
Tel.: (617) 542 6000
Fax: (617) 542-2241